

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

NOTICE OF MOTION

**-v-
JORGE RAMIREZ,**

07 Cr. 976 (WHP)

Defendant.

Please Take Notice, that upon the annexed Affirmation of **Louis R. Aidala, Esq.**, dated the 8th day of February 2008, the affidavit of **Jorge Ramirez**, sworn to on January 23, 2008, the exhibits annexed hereto, and upon all other papers and proceedings heretofore had herein, the undersigned will move this Court, on behalf of defendant **Jorge Ramirez**, before the **Hon. William H. Pauley, U.S.D.J.**, at the United States Courthouse, 500 Pearl St., New York, New York, on the 7th day of March, 2008, at 2:15 in the afternoon of said date, or as soon thereafter as counsel can be heard:

I. For an Order, pursuant to **F.R.Cr.P. 12(b) (3)(C) and 41(g) and (h)**, suppressing any and all items seized from defendant's apartment during the unlawful search that took place at the time of his arrest, and directing the Government to return all non-contraband property to him.

II. For an Order, directing that an evidentiary hearing be held for the taking of evidence in aid of the foregoing motions, together with such other and further relief as this Court may deem just and proper.

**Dated: New York, New York
February 8, 2008**

Respectfully submitted,

**LOUIS R. AIDALA
Attorney for Defendant
597 Fifth Avenue
New York, New York 10017
(212) 750-9700**

To: Michael Garcia

**United States Attorney
Southern District of New York**

Attn: William J. Harrington, AUSA